

ROMANDO, TUCKER, ZIRULNIK & SHERLOCK
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Attorneys for Defendant KOOK AND SON, INC.

UNITED STATES DISTRICT COURT
NEWARK DISTRICT COURT

LIBERTY MUTUAL INSURANCE
COMPANY a/s/o Lubert Adler

Plaintiff(s),

vs.

KOOK AND SON, INC.

Defendant(s).

UNITED STATES DISTRICT COURT
NEWARK DISTRICT COURT

Civil Action No. 07-6036(KSH)

ORDER PERMITTING DEFENDANT
TO FILE AN ANSWER OUT OF TIME

THIS MATTER having been opened to the Court by Sheps Law Group, Robert Sheps appearing, for an Order to enter default judgment against defendant Kook and Son, Inc. and Romando, Tucker, Zirulnik & Sherlock, Michael A. O'Hara, Esq. appearing on behalf of defendant Kook and Son, Inc., in opposition to plaintiff's motion and by cross-motion seeking an Order permitting defendant to file an Answer out of time, and the Court having reviewed the moving *a finding excusable neglect on defendant's part,* papers submitted, and any opposition thereto, and for good cause appearing;

IT IS on this *6th* day of *May*, 2008,

ORDERED that the time for defendant, KOOK AND SON, INC. to file an answer shall be enlarged pursuant to Fed. R. Civ. P 6(b) and further, that defendant KOOK AND SON, INC. shall be permitted to file an answer out of time. The Answer shall be served within *30* days of the entry of this Order; and

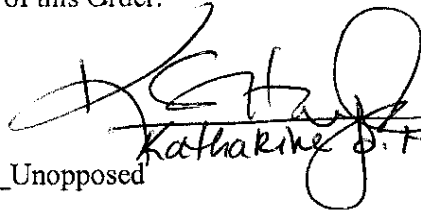
IT IS FURTHER ORDERED that any Default entered against defendant KOOK AND SON< INC. is hereby vacated; and

IT IS FURTHER ORDERED that plaintiff's motion seeking to enter default judgment against KOOK AND SON, INC. is hereby ^{moot}~~denied~~; and *

IT IS FURTHER ORDERED that a copy of the within Order shall be served upon all counsel within 3 days of the date of this Order.

____ Opposed

____ Unopposed


Katharine D. Hayden, USBJ

* It is further ORDERED that Counsel appear before Magistrate Judge Patty Schwartz for an initial R16 Conference on July 17, 2008 at 1:00 p.m.